

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN F. VODOPIA,	)	CASE NO. 1:07CV06214
	)	
Plaintiff,	)	JUDGE BARBARA S. JONES
	)	
vs.	)	MAGISTRATE JUDGE DEBRA C. FREEMAN
	)	
KONINKLIJKE PHILIPS ELECTRONICS	)	
N.V., <i>et al.</i> ,	)	<b>MOTION TO DISMISS PLAINTIFF'S</b>
	)	<b>COMPLAINT AGAINST PHILIPS</b>
Defendants.	)	<b>ELECTRONICS NORTH AMERICA</b>
	)	<b>CORPORATION</b>

**TO:** Raymond Nardo, Esq.  
129 Third Street  
Mineola, NY 11501  
Attorney for Plaintiff

**COUNSEL:**

**PLEASE TAKE NOTICE** that on a date to be scheduled by the United States District Court for the Southern District of New York, Defendant Philips Electronics North America Corporation shall move before The Honorable Judge Barbara S. Jones for an Order dismissing Plaintiff John F. Vodopia's claim against Defendant Philips Electronics North America Corporation pursuant to Rule 12(b)(2) and Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to assert personal jurisdiction pursuant to Rule 8(a) of the Federal Rules of Civil Procedure and failure to set forth a claim that entitles Plaintiff to relief.

**PLEASE TAKE FURTHER NOTICE** that in support of this application Defendant Philips Electronics North America Corporation shall rely upon the accompanying Memorandum, which is incorporated herein by reference.

Respectfully submitted,

s/Jennifer Rygiel-Boyd

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Attorneys for Defendant  
Philips Electronics North America Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on September 19, 2007, a copy of the Philips Electronics North America Corporation's Motion to Dismiss was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Jennifer Rygiel-Boyd  
Jennifer Rygiel-Boyd (JR 5676)

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